



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
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WILLIAM T FUJIOKA  
Chief Executive Officer

February 27, 2009

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

## CODE ENFORCEMENT BIANNUAL REPORT (EIGHTH)

On November 30, 2004, your Board instructed the Chief Executive Office (CEO), with the assistance of the District Attorney (DA) and County Counsel, to provide a biannual report to the Board on the effectiveness of the code enforcement units within the DA and County Counsel. The eighth Biannual Report is attached and provides a narrative of the efforts of the DA and County Counsel for the time period of July 1, 2008 through December 31, 2008.

If you have any questions, please contact Michael Noyes, DA, Deputy-in-Charge of the Code Enforcement Section at (213) 580-3269, or Sari Steel, Principal Deputy County Counsel at (213) 974-1924.

WTF:LS  
DSP:os

Attachments (2)

- c: Executive Officer, Board of Supervisors
- County Counsel
- District Attorney
- Sheriff
- Fire Chief
- Director and Health Officer of Public Health
- Director of Public Works
- Acting Director of Regional Planning

DISTRICT ATTORNEY

MEMORANDUM

TO: *SC* STEVE COOLEY  
District Attorney

THROUGH: JOHN K. SPILLANE *JKS*  
Chief Deputy District Attorney

SHARON J. MATSUMOTO *JJM*  
Assistant District Attorney

JOHN PAUL BERNARDI, Director *JPB*  
Bureau of Prosecution Support Operations

RICHARD BURNS, Head Deputy  
Community Prosecution Division

FROM: MICHAEL P. NOYES, Deputy-in-Charge  
Code Enforcement Section

SUBJECT: DISTRICT ATTORNEY CODE ENFORCEMENT EIGHTH BIANNUAL  
REPORT

DATE: FEBRUARY 3, 2009

Attached please find the Eighth Biannual Report to the Board of Supervisors for the time period of July 1, 2008 through December 31, 2008. The Biannual Report ("Report") provides a narrative of the general strategies and efforts of this office for the time period. Also included is an exhibit with a detailed breakdown of the cases handled by the Deputy District Attorneys for the time period.

The Report includes information regarding the investigations undertaken by the District Attorney Code Enforcement Section Investigators, the number of cases and prosecutions handled by the Deputy District Attorneys, and the disposition of these cases. The Report also references ongoing efforts by the District Attorney's Office, County Counsel, and involved County departments to further integrate the County's code enforcement program and promote collaboration among departments.

When Mr. Cooley has read and initialed our report indicating his approval, please forward a hard copy of the report including the case statistics to the CEO. The County Counsel is preparing a separate report. The CEO will then submit both reports together to the Board of Supervisors. Please forward our finalized report to:

**Dorothea Park**  
**Assistant Division Chief**  
**Unincorporated Area Services**  
**Chief Executive Office**  
**Kenneth Hahn Hall of Administration**  
**500 W. Temple Street, Room 726**  
**Los Angeles, CA 90012**

If you have any questions concerning this matter, please contact me at (213) 580-3269.  
Dorothea Park can be reached at (213) 974-4283.

mpn/sd

Attachment

**DISTRICT ATTORNEY  
CODE ENFORCEMENT BIANNUAL REPORT  
July 2008 through December 2008**

The District Attorney Code Enforcement Section ("Section") remains fully staffed and is meeting the needs of the code enforcement agencies. The Section's approach to code enforcement focuses on voluntary compliance as the primary objective. The four Deputy District Attorneys ("DDAs") in the Section use office conferences whenever possible and criminal prosecutions when compliance is not forthcoming. The Section provides 16 District Attorney Investigators ("DAIs") to give support and peace officer backup to code enforcement inspectors, as well as to provide training in the effective use of the criminal justice system and encouraging multi-agency cooperation. The Section strongly supports and staffs twelve Nuisance Abatement Teams ("NATs"). The Section continues to follow its approach to use citations in situations that are not suitable for the office conference approach.

**Staffing**

The Section's current staffing positions consist of 16 DAIs and four DDAs. The DAIs are aligned in a three-team format covering all five Supervisorial Districts. Each team consists of a Supervising DAI and four Senior DAIs. The three teams are supervised by Lieutenant Gene Salvino who joined the Section on July 1, 2008. The teams are assigned geographically to the South, East, and North regions of the County, and headquartered in the First, Second, and Fifth Supervisorial Districts.

The South Team is headed by Supervising DAI Kelvin Brown and is located at the Lynwood Regional Justice Center. The South Team is responsible for the geographic area encompassed by the Second, Fourth, and the southern portion of the Third Supervisorial Districts.

Supervising DAI Teresa Carver heads the East Team which is temporarily housed at offices located in El Monte. The East Team's responsibility includes all of the First Supervisorial District and the Fifth Supervisorial District east of Altadena.

Supervising DAI Greg Frum heads the North Team housed at the Michael Antonovich Antelope Valley Courthouse. The North Team is assigned all of the Fifth Supervisorial District except the portion in the San Gabriel Valley east of Altadena. The North Team is also responsible for the Santa Monica Mountains and the Topanga Canyon portion of the Third Supervisorial District.

The DDAs continue to be divided geographically. Deputy-in-Charge Michael Noyes supervises the Section and prosecutes the cases generated from the Santa Monica Mountains and Topanga Canyon areas. DDA Randal Harris prosecutes San Gabriel Valley and East Los Angeles cases. DDA Tina Hansen is responsible for the South Basin cases. DDA David Campbell covers the North County including Chatsworth and La Crescenta.

**NAT Teams**

The number of NATs stood at twelve during the last six months. The DAIs staff all twelve

NATs established within the First, Second, Fourth, and Fifth Supervisorial Districts. These NATs conduct their operations on a regular schedule. The DAI teams are a key component of each of these NAT teams. The purpose of the DAI teams is to provide each NAT team with security and share their investigative skills for the benefit of the code enforcement investigators that also comprise the NAT teams. Participation in the NATs is one valuable way the DAIs fulfill their primary purpose, which is to support the county code enforcement agencies. Though there is not a NAT dedicated solely to the Third Supervisorial District, the DAIs accompany the agency inspectors, as a NAT, on an as-needed basis within the Santa Monica Mountains area.

## Citations

Citations have proven to be an effective code enforcement tool. The DAIs, accompanied by the code enforcement investigators who are at the scene to identify the crime, will cite violators to appear in court in situations involving squatters, violators caught in the act of illegal grading, violators caught in an act that has an immediate negative impact on the neighboring community and in cases where businesses are operating without licenses. Also, the citation process will be used when the violator's conduct through words and/or actions indicates he/she has absolutely no intent to cooperate unless compelled to do so.

## District Attorney Investigations

The DAIs have assisted in both criminal and civil cases, and since July 2008 have been involved in more than 4720 inspections of properties and 275 NAT sweeps in all five Supervisorial Districts. They also support the departments who work in the First and Second Supervisorial Districts by providing security to inspectors and to the task forces conducting inspections in high risk neighborhoods.

During this reporting period, DAI participation in the inspections and sweeps has resulted in the filing of criminal charges in seven felony cases, most of which are being handled by another DA unit because of the nature of the crime. The DAIs filed 16 misdemeanor cases and made 10 probable cause arrests and 55 arrests as a result of outstanding warrants. Of those arrests, 12 were felonies, and 43 were misdemeanors.

Even though there has been an increase in NATs from ten to twelve, the Sections three DAI teams have absorbed the increase without additional staffing. However, there is a push to add additional NAT sweeps. If this occurs, the Section will need to add and fund additional investigators beyond the current staff of sixteen.

## DAI Highlights

### *Children at Risk*

When the NAT arrives at a property our DAIs are the first to approach. They secure the area, make initial inquiries of all occupants to better assess the situation and attempt to gain consent to enter. They are trained to take notice, ask questions and be persistent. This important role was never better served than in a case involving a residence in the La Puente area.

The exterior of the property contained inoperative vehicles, un-permitted structures, and junk/debris. The violator had received prior notices from various agencies, but would never answer her door and made no attempt to improve the property. Everything changed when the location was added to a July 2008 NAT schedule and our DAIs became involved.

Upon initial contact the violator claimed she lived alone in her filthy residence. A sweep of the interior suggested children did reside there, due to toys and cartoons playing on the television, but no children were present. The residence had no electricity or water and it was unkempt and littered with animal feces. During the inspection, members of the NAT team were unable to enter the residence without gloves and masks. Some members could not enter at all due to the stench. The agency inspectors felt no one should live there but had no authority to order the removal of the adult violator.

As the inspection ended, DAIs Yvette Ahumada and Omar Annabi continued with their questioning. The violator emphatically denied that there were children living at the location. DAIs Ahumada and Annabi persisted and eventually determined that three children, ages 11, 15, and 16, lived at the location. Although the NAT team had concluded its inspection, DAIs Ahumada and Annabi remained at the location and contacted and waited for the arrival of Children Services and Animal Control. Children Services determined the residence was unsafe for children and took possession of the children at their school. Animal Control removed three animals due to their being malnourished and needing medical care.

Not long after the children were removed, DAIs Ahumada and Annabi conducted a follow-up inspection with the Department of Public Works (DPW). The violator initially denied her children were back living at the location which would have violated the Children Services order. Through their investigation, however, DAIs Ahumada and Annabi determined two of the children were back living at the house. Children Services was again contacted.

Several NAT follow up inspections served to verify the children are no longer living at the location and to monitor the violator's progress in cleaning up the property. Due to the dedication of DAIs Ahumada and Annabi, the children now live with their father and no longer live at the subject property. The property is currently for sale and clean up is ongoing.

#### *Adult at Risk*

A year ago the Florence-Firestone NAT was initially denied access to inspect a home whose windows were covered with wood and trash littered the yard. Through the efforts of DAIs Craig Utley and Greg Hernandez, the tenant, an older woman, finally consented to allow the NAT to go on the property and into her house, but she did not provide her full name. She was a hoarder living with her son who suffered from alcoholism. The dark interior of the home was filled with items. They had no water, gas or electricity at this site. The inspection was conducted, notices were left by the agencies and the NAT contacted Adult Protective Services. Over time, the DAIs were able to determine the tenant's real name and Nat Coordinator Gail Turner-Brown and Environmental Health Inspector Lucy Kalustova were able to contact and work with the woman's children. Unfortunately the son passed away. As of November 2008, the yard has been cleaned, inoperable vehicles and trailers have been removed, the house is vacated and the woman is living with her children in the Lancaster area.

## Cases Handled by the District Attorney

During this reporting period, the Section received 74 new referrals from County departments, reopened one case, and continued to work on 127 cases that carried over. The Section set office conferences in 61 cases, prosecuted 89 misdemeanor cases, and had ancillary involvement in one felony case during this reporting period. Additionally, the DDAs were involved in informal talks with numerous property owners. The Section closed 64 cases following successful resolution of the matters.

See Exhibit 1 for a summary of the disposition of the cases, by Supervisorial District, handled by the Section this reporting period.

### DA Highlights

#### *Hiding behind the property owner*

A construction business moved off a Kagel Canyon residential property after the location was subject of numerous NAT visits. The problem appeared to be solved, until the rear of the property became a worse eyesore as the dumping ground for construction materials, concrete and other construction debris, and an occupied 5th wheel trailer. The pile of debris kept growing and the case was referred to the Section for a formal Office Conference. The “on title” owner of the property appeared for the conference and by questioning her, Deputy District Attorney David Campbell discovered that the primary land use violator was actually the former owner of the land who also owned the construction business.

The violator with the construction business lived in an upscale community, but had poor credit. He convinced the “on title” owner, who had good credit, to purchase the house. He led her to believe that she would not be on the title and that he would make payments on the loan and assume title on the house in “the near future.”

A misdemeanor case was filed by DDA Campbell against the true violator, who came into court and proceeded to tell the Judge that he had no knowledge concerning the property and since he wasn’t on title had no responsibility to clean up the property. The case was reset and the violator bench warranted at the next court appearance.

Subsequently, employees of violator’s construction business were seen at the site unloading additional construction equipment. The NAT team conducted an early morning stakeout at violator’s house and arrested him.

As a result of the subsequent plea negotiations, the violator pled to misdemeanor land use charges and was placed on probation. As a condition of the plea, he agreed to: (1) Remove inoperative vehicles from the site, (2) Sign a DPW clean up consent form to allow the county to clean up the property, and (3) Pay the cost of the DPW cleanup of the property.

DPW performed the cleanup, received a cashier’s check for \$2,000 to cover the cost of the cleanup from the violator and the property is now clean.

### *Preserving local heritage*

Horse stables have been housed on a multiple parcel site for thirty years in Athens Village. The surrounding zone and uses are industrial. These stables have never been legalized by the Department of Regional Planning (DRP) and all structures have been built without Building & Safety approvals. The stables themselves are well-known in the area and have been the training ground for riders who are now successful and well-known African-American rodeo riders.

Enforcement activity started in the beginning of 2007 based on a referral by a staff member of former Supervisor Yvonne Burke-Braithwaite's office. This enforcement activity involved multiple NAT appearances with inspectors from DRP, Building & Safety, Fire, Animal Control and Environmental Programs. The property was a mess with junk, garbage, inoperable vehicles, occupied trailers, numerous animals including horses, goats, chickens, dogs, cats and rabbits. No one had ever been able to speak personally to the property owner/trust executor (the son of the original owner). The case was then referred to the Section.

Deputy District Attorney Tina Hansen was able to hold a formal Office Conference and have a face to face meeting with the property owner after multiple attempts. She gave the owner a very limited time in which to have the stables completely cleaned up of all items except for horses and items related to the stabling of horses. The owner (or his representative) was required to file a plot plan with DRP to begin the process of legalizing the site. The owner performed both requirements and a subsequent inspection showed a clean property which only houses horses and items related to horses. A plot plan has been submitted and is in the review process. The main tenant on the property is in charge of the plot plan process, and he has the financial resources to complete all work required. After thirty years, the horse stables are in the process to become legalized.

### **Ongoing Efforts to Integrate Code Enforcement Operations**

#### *Section Highlight*

The Section was recognized on October 22, 2008 by the Los Angeles County Quality and Productivity Commission. We received the Commission Certificate of Recognition Award for our collaboration with other departments, improved productivity, and positive impact on the quality of life in the unincorporated areas. Our collaborating departments were: DRP, Animal Care and Control, Public Health, DPW, and Sheriff.

#### *DA Trainings*

On November 13, the Section presented a lecture on behalf of the Los Angeles County District Attorney's Office Training Division at their Filing Deputy College. The speaker was DIC Michael P. Noyes. The topic of the instruction was "Filing Code Enforcement Cases".

Our DAIs are preparing a training program with the Sheriff's Office to be held at the Sheriff's Lazer Village in the spring of 2009. The purpose of this training is to further improve the safety precautions used during the NAT inspections. Inspectors from DPW, DRP, Public Health and

Animal Care and Control who are assigned to a NAT will attend the training.

#### *Case Collaboration*

During the reporting period, the Section and the County Counsel Code Enforcement Unit (CCCEU) continue to consult with one another on code enforcement issues. The Section and CCCEU continue to collaborate as shown in two cases highlighted below. The Section has also referred several cases to CCCEU for civil enforcement.

#### *Medical Marijuana*

A newly opened medical marijuana cooperative in the Castaic area caused several irate citizens to attend a Santa Clarita Town Hall meeting and express their concern about the potential of criminal behavior that can be attracted to a medical marijuana clinic. The Board as well viewed their concern as a high profile complaint. California narcotics law legalized medical marijuana, thus limiting the Sheriff's ability to get involved. However, opening a medical marijuana clinic involves more than just state narcotics law. The Board referred the matter to CCCEU.

CCCEU proceeded with its own enforcement procedures and referred the case to the area NAT. The NAT, following the lead of Senior DAI Richard McIntosh, utilized a two pronged approach. First, the federal Drug Enforcement Agency (DEA) was notified so that the property owner would become aware of the federal consequences. The DEA in turn communicated to the property owner that he was in violation of Federal law and faced criminal prosecution and property seizure if the clinic did not immediately cease operation. Second, the NAT conducted an inspection of the property to address zoning law violations. DRP issued a Stop Order as the owner was required to obtain a Conditional Use Permit (CUP) before they could legally operate a medical marijuana clinic. As a result of everyone's efforts, the clinic ceased its operation in the Castaic area.

#### *Community Prosecution*

During this period, the Section was contacted by the County Counsel's Office on the issue of recent illegal painting of street numbers on curbs in the unincorporated Whittier area. One company in particular had caused a flurry of citizen complaints due to incorrect numbering, the inability of homeowners to prevent the painting and a feeling by some homeowners that excess pressure was used to collect the "voluntary" payment for the services. Complaints against this company spread to the Covina area as well.

The Section worked closely with the Sheriff's Cops team, County Counsel and DPW Highway Division to put together a case against the owner of the violating company. A two count misdemeanor criminal complaint was filed by DIC Michael P. Noyes of the Section in the Whittier Superior Court charging the owner of the company. The owner subsequently pled no contest to one of the misdemeanor counts and has been placed on three years summary probation and fined. The complaints against this company have stopped.

*Code Violations Cleared on Property of Conservatee*

In 2007, the Section conducted a series of office conferences in a case involving an elderly property owner who lived in a small trailer brought onto her property after her home and others in the vicinity had burned down several years before in a wildfire. The owner had been cited by DRP for maintaining a trailer on the property for residential purposes, a use which is not permitted in that zone. The neighboring community was concerned about maintaining annual brush clearance in and around her residence. It was determined through the office conferences that the property owner was diligently trying to comply but due to her extenuating circumstances was incapable of complying without assistance. The Section requested CCCEU to partner with us.

CCCEU brought in mental health representatives. The case was subsequently referred to the Los Angeles County Public Guardian ("PG") and a conservatorship was established. In 2008, the PG petitioned to sell the owner's property and made plans to relocate her to a suitable community of her choosing. Today, thanks to the collaborative efforts of the Section and CCCEU through the conservatorship process, the property owner has found a suitable place to live and the trailer home has been removed from the property thereby abating the code violation.

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
<i>First District</i>							
Improper uses within zone, blocking roadway, unpermitted construction; (Also refer to "Non-conforming use, illegal wiring, unpermitted structure in County Counsel Exhibit 2/First District)	1			1		1	Complex case - car wash, apartment building and family business. Multiple departments involved: DPW, Building & Safety and Road Maintenance Divisions; DRP and County Counsel. Case pending DRPs application process. Criminal case filed, pled no contest, probation, variance application filed, processing still pending.
Converted garage or divided residence	3	3		1	1	2	1) Converted garage also inaccessible, J&S, 2nd dwelling unit w/o DRP approval, office conference, plans submitted 2) Converted garage and inaccessible, inops, J & S, multiple dwelling units, office conference, complaint filed, property sold, case closed 3) Single family residence converted to duplex, home business, J&S, unpermitted structures (chicken coops), office conference
Outside storage	6	8		10	6	2	1) J & S, commercial vehicle, unpermitted business, office conference previously held, complaint filed 2) J & S, inoperative vehicles, office conference held during last reporting period, compliance, case closed 3) J & S, inoperative vehicles, castle structure in set backs, office conference previously held, complaint filed 4) Pallet yard w/o CUP, outside storage of pallets, office conference previously held, complaint filed, owners to remove pallet yard operator and haved hired architect 5) J & S, inoperative vehicles, mobile home, unpermitted chicken coops in side yard, office conference, complaint filed 6) J & S, inoperative truck, inaccessible garage, office conference, complaint filed 7) J & S, R/V used as residence, garage inaccessible, inop. office conference 8) J & S, garage inaccessible, inops, office conference 9) J&S, outside storage, inaccessible garage, auto repair, office conference, plans submitted 10) Garage inaccessible, auto repair, J&S, office conference, complaint filed, FTA B/W issued 11) J&S, inops, office conference, compliance, case closed

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Supervisory District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Unpermitted construction	12	1	4	2	5	8	1) Unpermitted structures, j& s, unpermitted animals - criminal complaint filed, significant cleanup progress 2) Unpermitted structure and alterations to house, illegal food preparation, criminal complaint filed, violator charged in separate case with felony and sentenced to 11 years state prison, case closed 3) unpermitted construction at gang hangout - office conference held violator cooperating with DRP an DPW, case closed 4) additions w/o permit, converted garage, compliance, case closed 5) Additions to garage and house, office conference previously held, obtained permit, progressing 6) Structure built w/o permits, mobilehome, office conference previously held, significant progress 7) Structure built w/o permits, mobilehome, office conference previously held, violator progressing 8) Patio structure and electrical built w/o permits, office conference previously held, permit approved, case closed 9) Patio structure and electrical built w/o permits, office conference previously held, permits approved, case closed 10) Structure, electrical, plumbing
							without a permit, office conference held, site plan submitted, will expand facility to enclose auto repair 11) Unpermitted structures, electrical, plumbing, J & S, office conference held 12) Unpermitted addition to dwelling including electrical and plumbing, office conference 13) Unpermitted additions to house, inaccessible garage, 2nd unapproved dwelling, overgrown vegetation, office conference

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Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Accumulation of rubbish, substandard dwelling	3		1	2	1	2	1) Health dept case, office conference previously held, pending DPW rehab cleanup 2) substandard dwelling, rodent & pest harborage, criminal complaint filed, compliance, case closed 3) Substandard apartment, red tagged heater, faulty windows & smoke detectors, sewer odor and unmaintained sink and tub, office conference held, criminal case filed
Mobile food facility violation	6	7		12	6	7	1) Food not maintained at correct temperature - complaint filed, two violators -one pled no contest and second deft. bench warrant still outstanding 2). complaint filed, now in bench warrant status as deft failed to appear 3) complaint filed arraignment, probation, compliance, case closed 4) Unclean refrigeration unit, food too warm, criminal complaint filed, corrected violation, paid fees, case closed 5) food to warm, improper sink facility, complaint filed, deft #1 pled on probation, deft #2 bench warrant 6) Failed to provide sink, approved utensils and label food packages at retail food facility, criminal complaint, compliance, case closed 7) MFF w/o permit, no wash sink, complaint filed, deft #1 plea and probation, deft #2 failed to appear B/W 8) Insufficient hot water, food not maintained at correct temperature, complaint filed, plea to charge, case closed 9) Food not maintained at proper temperature, lack of proper sanitation, complaint filed, plea and probation, case closed 10) Violator on probation for criminal case charging health violations, violated probation, his unpermitted
Unlawful vending		1			1	1	Citation, LASD, bench warrant over one year old, case closed

Exhibit 1

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Unlicensed sale of alcohol, impure milk, operating w/o a license	1			1	1		DA investigators coordinating State Food and Agriculture, Board of Equilization. Alcohol & Beverage Control, sale of unpasteurized milk and alcohol drink, criminal complaint filed, compliance, probation, case closed
Sewer discharge	2	2			2		1) Sewer discharge onto ground, office conference, compliance, case closed 2) Sewer discharge onto ground, office conference, compliance, case closed
Fire No CUPA permit		2	2			2	1) Auto repair shop operating w/o CUPA permit, office conference 2) Auto repair shop no CUPA permit, office conference
<b>First District Total</b>	<b>30</b>	<b>23</b>		<b>22</b>	<b>26</b>	<b>19</b>	<b>34</b>
<b>Second District</b>							
Unpermitted construction	5				2	1	4
							1) Altering building without a permit, criminal complaint filed, hired architect, plot plan submitted, plans in plan check, owner to file application for variance 2) Altering building without a permit, DPW and DRP coordinating investigation, criminal complaint filed, hired architectural firm -plans submitted and approved by DPV, permit to repair walls, agencies monitoring no unpermitted activity taking place on property 3) Unpermitted addition to garage and office to house. Cleanup being performed and unpermitted buildings demolished, compliance, case closed 4) Structure used as grocery store, enclosed carport and added parapets without permits, case added to NAT to involve additional agencies, building closed and vacated, owner to demolish. 5) Junk and salvage as well, one owner since arrested and deported, complaint to be filed against remaining owner

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Outside storage - inoperable vehicle and/or junk and salvage	14	4	3	6	6	12	1) 2nd criminal complaint filed, deft pled to new case and found in violation on original case after formal hearing. Deft has completed community service and faces jail if property not cleaned 2) Plot plan approved, new ownership of church, waiting for completion of construction, unable to obtain loan, owner moved off property 3) J&S, complaint filed, pled guilty, sentenced, substantial cleanup, Business License Commission lifted revocation, enforcement continues 4) J&S, inaccessible garage - office conference held last time period, compliance, case closed 5) Plot plan to be filed and canopies removed, one property now in compliance, DRP and DPW continue monitoring 6) Unpermitted stables, outside display of merchandize, occupied recreational vehicle in addition to J&S, office conference previously held, placed on NAT to coordinate multi-agency investigation, office conference held, property now clean, plot plan submitted to legalize use and in review process 7) Out door display, owner submitted plot plan, but failed to submit corrections and

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							cleanup was in process then halted, criminal complaint filed, plot plan resubmitted, owner now continuing to clean-up 8) Vacant house, homeless people, graffiti - DAIs locating personnel at Property management company, property cleaned, property sold, case closed 9) J & S, inoperative vehicles, DRP monitoring compliance, complaint filed, clean-up completed, monitoring case six months to ensure property remains clean 10) J & S, inaccessible garage, NAT inspecting, DRP violations now in compliance, case closed 11) J & S, inoperative vehicles, partial compliance 12) J & S, inoperative vehicles, portion in sideyard, inaccessible garage, followup pending from DRP, complaint filed, compliance, case closed 13) J & S, inoperative vehicles, inaccessible garage, office conference, case closed 14) J & S, inaccessible garage, office conference held, complaint filed 15) J&S, office conference, buildings now demolished, property clean and fenced, case closed 16) J&S, garage
							converted to storage and inaccessible to for parking, office conference 17) Inops, J&S, garage inaccessible, in process of locating owner 18) Inops, J&S, new case

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Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Improper use within zone	5	1		1	4	2	1) Auto repair - old tenant left property, now new tenant in violation, new tenants evicted, property being monitored for compliance, property has been sold, now property is clean and fenced, case closed 2) Unpermitted street sweeping business and storage, office conference previously held, property now screened, 82 year old owner plans to sell, case closed 3) Auto sales - be added to NAT, DAI locating owners, office conference held, cleanup commenced, compliance case closed 4) Unpermitted ornamental ironwork and welding business, storage and parking issues, office conference held last period, compliance, case closed 5) Outdoor auto, J & S, inoperative vehicles, office conference held, criminal complaint filed, deft #2 on probation, deft #1 sold property, DRP to work with new owner 6) Unpermitted auto dismantling yard and sales, agency doing further preparation
Garage conversion	3				1	2	1) DRP referral for unpermitted addition, set back violations, lack of covered parking, one of two properties now foreclosed and no longer owned by violator, garage built on second property and neighboring property, that owner is out of state, agency to contact second owner 2) Converted garage and set back violations, waiting reports from health dept., office conference previously held - learned property sold, second office conference to be set with 3rd party, also now a Community Care Licensing issue, to be reinspected as previous inspector out on maternity leave. 3) Garage converted to living quarters, office conference previously held, Trustee sold property, new owner in bankruptcy court which will cause sell of property, DRP to work with new owner once owner is determined, case closed
Violations on residential properties: Alcohol sale; and cattle in residential zone		1			1	1	Party pled guilty. Pilot Plan and building plans approved - compliance, owner to demo all stables, probation expired, case closed

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Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Unpermitted home business	1			1	1		Resale business from residence, cited to court, rented commercial space, compliance, case closed
Multi-agency violations - Building without permits, fire code violations, auto repair, outside storage	1					1	Three properties involved . Placed on NAT to coordinate multi-agency violations. Office conference previously held, possible revocation of CUP and filing of criminal complaint once environmental has completed its administrative procedure and prepared its reports.
Outdoor display merchandise	1	1		1		2	1) Outdoor display and residence converted to store w/o DRP approval, office conference previously held, complaint filed 2) Excessive garage sales, waiting current report from agency
structure within setback	2	1			3		1) Home and patio in set backs, office conference previously held, no show by parties, agency investigation over a year old, case closed, returned to agency for reinvestigation 2) Unpermitted building in side and rear setback, inaccessible parking, J & S, agency investigation over one year old, case closed, returned to agency for reinvestigation 3) Unpermitted free standing shed and addition to garage, no contact with owner by agency, DAI investigators determined owner wanted for armed robbery and cannot be found at this time, case closed
Unlawful vending or Mobile Food Facility violation	4	1		5	4	1	1) Bench warrant over one year, case closed 2) Bench warrant over one year, case closed 3) Bench warrant over one year, case closed 4) Bench warrant over one year, case closed 5) Re-opened three year old bench warrant, defendant appeared in court, mobile food facility, shopping cart and cooler selling corn and durros, unpermitted, no cleanup facilities, court date set for early 2009
Mobile home without permits	1					1	1) Also has commercial and recreational vehicles DAI locating property owner, office conference previously held, substantial cleanup completed, mobile home to be removed

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Sign violation	1					1	Office conference previously held, compliance complete except for removal of a mural
Older structures not to code	3					3	1) Earthquake retro fit needed, Owner submitted plans. Contractor on site making repairs, construction has stopped, owner ordered to vacate premises by years end 2) Unreinforced masonry building, office conference held during previous reporting period, building now vacated, plans continue in plan check process 3) earthquake retro fit needed, structural engineer hired, plans through plan check, contractor named, financing to be resolved so work can begin

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisional District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
CUP violation	1	1	1	1		2	1) Maintaining business without CUP, placed on NAT, complaint filed, b/w issued 2) Recycling center w/ CUP, office conference
Fire no CUPA permit			1	1		1	Auto tire repair shop; no CUPA permit, office conference
<b>Second District Total</b>	<b>42</b>	<b>11</b>	<b>5</b>	<b>18</b>	<b>21</b>	<b>32</b>	
<b>Third District</b>							
Insufficient erosion control		1	1			1	Has permit to grade but construction has stopped and has not placed appropriate erosion control measures, office conference
Numerous mobile homes without permits	1			1		1	Criminal complaint filed, just before start of trial violator pled n/c to 2 counts, 180 days to remove tenants and correct violations, 3 years probation, at 180 day inspection of property, partial compliance only, B & S found illegal wiring to be immediate hazard, Edison cut power at two of three poles, probation violation hearing set for early 2009.
Unpermitted construction					1		Unpermitted mobile home, office conference previously held prior reporting period, plans now submitted and under review, follow up office conference previously held, plans now in plan check, no progress, complaint filed
Insufficient road access for Fire Department	1				1		Private road involving 11 properties. Plans submitted by one neighborhood group and in plan check, third office conference held in prop reporting period with competing neighborhood group who have plans to be submitted. One neighbor filed civil suit to arbitrate dispute to force agreement on one plan. Use of County land cleared. Fire Dept, CEO, met with parties to present alternate plan, this plan has been accepted by all parties.
Outside storage		4	1		1	3	1) J&S, living shed, office conference, compliance, case closed 2) Storage container on vacant land, office conference set early 2009 3) Unused mobile home on vacant land, office conference set early 2009 4) J&S, R/s used for residential purposes, office conference set in early 2009

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisory District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Living in Recreational vehicles on property	1			1		1	Living in RV, employed by owner, cited to court
<b>Third District Total</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>8</b>	
<b>Fourth District</b>							
Unpermitted structure	1			1	1		Criminal complaint filed - pretrial, hired architect, compliance, case closed
Outside storage	3	3	4	2	3	3	1) J & S, vehicles in set back, garage inaccessible office conference previously held, criminal complaint filed, compliance, case closed 2) J & S, office conference previously held, compliance, case closed 3) J&S, inaccessible garage travel trailer in driveway, office conference, DAIs to locate owner 4) J & S, vehicles in side yard, inaccessible garage, office conference, criminal complaint filed, begun to cleanup 5) J & S, Inops, parking in setbacks, office conference held, much progress 6) Inop vehicles, office conference, compliance, case closed
Surface slope failure	1			1		1	Surface slope failure, need to make repairs, office conference held, property now in foreclosure, attempting to work with bank
Unpermitted home business	1					1	Honey manufacturing, and junk and salvage, civil case settled, office conference previously held, county counsel negotiating with violator's attorney, second civil suit filed between violator and daughter

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Sewage discharge		1	1			1	Septic tank discharging onto ground, office conference, further investigation requested from agency
Unpermitted curb numbering		1		1		1	Curb numbering business operating w/o encroachment permit. Numerous complaints, criminal complaint filed, pled no contest, on probation, restitution/correction hearing set early 2009
<b>Fourth District Total</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>4</b>	<b>4</b>	<b>7</b>	
Improper use within zone	6			5	1	5	1) Jury Trial, deft convicted on four counts of zoning violations. Defendant sentenced to 80 hours of community service and terms and conditions of probation requiring corrections, hearing held - found in violation, court requested health to evaluate, Full Family Services now assisting violator, second probation violation filed, deft left to another state then returned, probation violation hearing set for early 2009 2) Vehicle storage yard combo A1 and C3 no permits - criminal complaint filed, mover had been hired, significant progress on front (C3) portion of property 3) Recreational vehicle park operating in violation of CUP - criminal complaint filed, water tank for fire completed, working towards compliance as to fire gate 4) Concrete crushing equipment , container, r/v, stored on vacant land, unlawful grading, encroachment on oak tree, criminal complaint filed, significant compliance, property remains clear, pursuing administrative remedies 5) Cargo container, office conference previously held, criminal complaint filed, co-deft to be added 6) Outdoor
							banquet/dining, wedding, office conference held prior reporting period, compliance, case closed

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Outside storage of junk and salvage and/or inoperable vehicles	14	10	11	7	8	16	1) Monthly visits, continue, containers, metal, vehicles being moved to site in Kern county - continued progress 2) Follow-up office conference, DRP, violators moved to Alaska but efforts have been made to abate violations 3) mobile home and J & S, no compliance, criminal complaint filed, full compliance, court progress report set in April 2009. 4) Office conference previously held, mobile home and inoperative vehicle, compliance, case closed 5) Storage container, J & S and oak tree violation, violator obtained necessary permits 6) J & S business, office conference previously held, property repossessed, case closed 7) J & S and a commercial vehicle, office conference last time period, violator elderly, cancer, referred to County Counsel, case closed 8) J & S, commercial vehicle, referred to County Counsel 9) J & S, inoperative vehicles, office conference held, unsatisfactory, criminal complaint, paid for cost of rehab of property under terms of probation, compliance, case closed 10) J & S, inoperative vehicles, office conference held, criminal complaint filed

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
							(11) J & S, commercial vehicles, containers, office conference held, compliance, case closed (12) J & S, commercial vehicles, inoperative vehicles, compliance, case closed (13) J & S, inoperative vehicles, office conference held, working towards compliance (14) reopened previous reporting period, outside storage of materials, office conference, compliance, case closed (15) Inops, J & S, outside storage, home based business, cited to court, deft. no longer on property (16) inops, vehicle storage and repair, J&S, office conference, substantial progress (17) outside vehicle storage, office conference, case closed (18) Unpermitted storage and J&S, office conference, complaint filed (19) Inops, J&S, cited to court (20) Inops, commercial vehicles, J&S, containers, office conference (20) Commercial vehicles, construction equipment, office conference (22) Commercial vehicles, inops, J&S, R/V, mobile home, industrial storage, criminal complaint filed (23) J&S, inops, office conference (24) J&S, storage construction debris

Exhibit 1

**District Attorney Code Enforcement Section  
Eighth Biannual Status Report for July 1, 2008 to  
December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Living in recreational vehicles on property	7	13	2	16	3	17	1) Criminal complaint, DA diversion continued to October 2008, remained in compliance, case closed 2) Criminal complaint, on probation, partial compliance then work stopped, at probation violation hearing held, deft. sentenced to 180 days jail 3) Criminal complaint, guilty plea, continued progress reports in court monitoring cleanup, compliance, case closed 4) Living in RV, office conference previously held, criminal complaint filed - no bail bench warrant issued 5) Living in RV, storage container, commercial vehicle, structure in set backs, criminal case filed 6) Living in RV, unpermitted storage, FTA office conference previously set, criminal complaint, filed, B/W status 7) Living in school bus, J & S, office conference previously held, violator moved out, case closed 8) Living in trailer, mobile home, storage containers, J & S, inops, cited to court 9) Living in RV, unpermitted outside storage, cited to court 10) Living in RV, inops, cargo container, J&S office conference 11) Living in trailer, J&S, inops, cited to court 12) Living in trailer, J&S, inops, cited to court 13) RV used for residential purposes, outside storage, office conference 14) Occupied RV, cited to court 15) Occupied RV, J & S, cited to court 16) Occupied RV, cited to court 17) Occupied RV, inops, cited to court 18) Occupied RV, J&S, inops, cited to court 19) Occupied RV, cited to court 20) Occupied trailer, citation not due into court until 2009

Exhibit 1

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Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Mobile home without permits	8	3	8	3	2	9	1) Mobile home, commercial vehicles and outside storage, Criminal complaint filed, trial now set for January 2009, co-deft has been added 2) Mobile home, commercial vehicles, j&s, FTA office conference previously held, criminal complaint filed, continued for defense attorney's investigation of property 3) Mobile home and j&s, office conference held, attempting compliance 4) Mobilehome, J & S, office conference held, compliance, case closed 5) Two mobilehomes, office conference, case closed 6) Mobilehome, office conference held, new investigator on case 7) Mobilehome, office conference held, violator making significant effort to sell M/H 8) Mobilehome, commercial vehicles, parking in setbacks, office conference
Construction violates CSD	1				1	1	held, criminal complaint filed 9) Mobile home, commercial vehicles, inops, storage of construction equipment, office conference, mobile home, J & S, storage of vehicles 10) Mobilehomes, J&S, inops, office conference held 11. Citation to court set for 1/2009, occupied mobile home w/ CUP containers, J&S

Exhibit 1

**District Attorney Code Enforcement Section**  
**Eighth Biannual Status Report for July 1, 2008 to**  
**December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions <sup>1</sup>	Cases Closed	Cases Pending	Comments
Illegal grading	5		1	3	1	4	1.Criminal complaint, pled guilty, on probation - corrected grading plans in plan check, plans resubmitted several times, inadequate, probation violation hearing set, new engineer hired, modified plans to be submitted 2. Graded by fill creating pad and slope, criminal complaint, bench warrant \$50,000 outstanding, efforts being made to locate . 3. Neighbors in civil suit set for trial July 2009, civil suit resolution needed to proceed on case - violator hired engineer to realign two adjacent properties to allow new access to county maintained road property line in dispute 4. Criminal complaint filed, pre-trial, compliance, case closed 5. office conference held, monitoring compliance, bank may reposess
Mobilehome park w/o permit	1				1		State Housing Department, office conference held, significant progress as several key code violations corrected
Oak tree encroachment	1		1		1		Oak tree violation, office conferences held, compliance, case closed
Pool safety violation	2				1	2	1. Green pool, active mosquito breeding, Health Dept, office conference held prior reporting period, compliance, case closed 2. Unfenced pool, citation issued, compliance, case closed
Unpermitted structure	1	3	2	1	1	1	1) Office conference previously held, no compliance, criminal complaint filed, set for trial setting 2) Addition without permit, office conference, case closed, violator produced permits 3) Structure, electrical and grading w/o permits, office conference 4) Unpermitted structures, cargo containers, cited to court for 1/2009
Resisting, delaying, obstructing an officer		1			1	1	Deft interfered with DA investigator during course of duty, criminal complaint filed for B/W
<b>TOTAL CASES:</b>	<b>127</b>	<b>75</b>	<b>61</b>	<b>89</b>	<b>64</b>	<b>138</b>	
<b>Fifth District Total:</b>	<b>46</b>	<b>30</b>	<b>26</b>	<b>38</b>	<b>19</b>	<b>57</b>	

Exhibit 1

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Eighth Biannual Status Report for July 1, 2008 to  
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Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions	Cases Closed	Cases Pending	Comments

Footnotes:

<sup>1</sup> 89 misdemeanor prosecutions and ancillary involvement in 1 felony probation case

\*74 new cases and 1 reopened case

**COUNTY COUNSEL**



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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RAYMOND G. FORTNER, JR.  
County Counsel

February 25, 2009

TELEPHONE  
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TDD  
(213) 633-0901

TO: WILLIAM T FUJIOKA  
Chief Executive Officer

FROM: RAYMOND G. FORTNER, JR.  
County Counsel

RE: **Code Enforcement Biannual Report**

On November 30, 2004, the Board of Supervisors ("Board") instructed your office, with the assistance of the District Attorney ("DA") and County Counsel, to provide biannual reports to the Board on the effectiveness of the new code enforcement units within the DA and County Counsel. Seven biannual reports have already been provided to the Board. The enclosed eighth biannual report ("Report") provides a narrative of the general strategies and efforts of the County Counsel's Office for the time period of July 1, 2008 through December 31, 2008.

The Report includes highlights of cases handled by the County Counsel Code Enforcement Unit ("CCCEU") during this reporting period, the number of cases and prosecutions handled by the CCCEU, and the disposition of these cases. The Report also references ongoing efforts by the DA, the CCCEU, and involved County departments to further integrate the County's code enforcement program and promote collaboration among departments.

If you have any questions concerning this matter, please contact me, Assistant County Counsel Richard D. Weiss at (213) 974-1924, or Principal Deputy County Counsel Sari Steel at (213) 974-1853.

RGF:SJS

Enclosures

**COUNTY COUNSEL**  
**CODE ENFORCEMENT BIANNUAL REPORT**  
**July 2008 through December 2008**

The County Counsel Code Enforcement Unit ("CCCEU") advises County departments and Board of Supervisors ("Board") offices; offers advice and support to the Residential Placement Protocol Task Force and its member agencies; drafts ordinances; and handles civil enforcement actions against code violators. The CCCEU works with property owners and area residents to assist violators in bringing properties into compliance. If the CCCEU is not able to resolve violations through voluntary compliance, a lawsuit will be filed in which a civil injunction, receivership, and/or civil penalties and fines are sought.

Key factors departments use in determining when to refer a case to the CCCEU as opposed to the District Attorney ("DA") are: 1) the age and capacity of the alleged violator if the violator is elderly, mentally, or physically disabled, it may not be appropriate or effective to criminally prosecute that individual; 2) available property equity to pay clean up costs; 3) hoarding/collecting behavior, a deceased or missing owner, or where elder or dependent adult abuse is suspected; 4) the presence of illicit activities on the property such as narcotics sale or use, prostitution, lewd conduct, and gang activities; and 5) the existence of imminent health and safety hazards that require immediate action (through temporary restraining orders and preliminary injunctions) to compel the responsible party to correct the violations or abate public nuisances.

### **Case Highlights**

#### *Restoration of City and County Park Property in the Fifth District Following Illegal Grading By Property Owner*

This case, which dates back to the early 1990s when the property owner began unpermitted construction and grading on his property and in the creek behind his home, came to a successful close during this reporting period. The owner's property is located in the City of San Dimas ("City") and the creek is on Los Angeles County park property. The creek is a watercourse within the waters of the United States, and grading by the owner within the creek was a violation of state and federal laws, as well as the City's municipal code. The encroachment upon the County's park land was a violation of the County Code as the owner created an embankment that extended from his property line into the County creek. As a result of these violations, the DA filed a criminal complaint in 2001 alleging trespass by removing soil from public property, vandalism causing over \$400 in damage, and illegal alteration of a streambed. The owner plead no contest to a misdemeanor Penal Code violation, was placed on three years summary probation, and ordered to bring his property into compliance with all applicable laws and regulations to the satisfaction of the California Department of Fish and Game ("Fish and Game"); the Department of the Army, Los Angeles District, Corps of Engineers ("Army Corps of Engineers"); the County Parks and Recreation Department ("Parks and Recreation") and the Department of Public Works ("DPW"); and the City.

During his probation, the owner encountered problems obtaining the necessary permits to remove the soil he had placed in the creek bed and was unable to find a company willing to do the work required by the various government agencies. Over the next two years numerous meetings were held and in late 2005, DPW prepared preliminary remediation plans to prove to the Court and defense counsel that the required remediation could be feasibly completed at a cost between \$250,000 and \$500,000. In December 2005, the Court revoked the owner's probation, finding that he failed to bring his property into compliance and continued the matter for sentencing in March 2006 in order to allow the parties time to perhaps reach a compromise. No further progress was made and on March 8, 2006, the owner was sentenced to 90 days in County jail. It was at this time the matter was referred to the CCCEU for its consideration and handling.

The CCCEU convened a meeting with DPW and Parks and Recreation, the City's Department of Public Works, and the owner and his attorney. The CCCEU inquired whether it would be feasible to return the property to its pre-grading condition, rather than requiring the owner to construct a steel reinforced retaining wall at a cost of several hundred thousand dollars as previously proposed and upon which no consensus was reached. The City and the County engineers agreed that this could be done and the owner and his engineers agreed to pursue that plan of restoration. The CCCEU contacted the DA about the proposed plan and the DA's office agreed to defer to the Court, before whom the criminal matter was pending, any position on the plan. The CCCEU appeared in court on behalf of the County and presented the restoration plan. The judge, with the owner's consent to the plan and no objection by the DA, reinstated the owner's probation and stayed the jail time so that the owner could bring the property into compliance – one of his conditions of probation.

Over the course of two years and many case status appearances in criminal court, the CCCEU worked closely with the DA, Parks and Recreation, DPW, the City, the Army Corps of Engineers, the Department of Fish and Game, the California Regional Water Quality Control Board, the owner's attorney, as well as his geological and soils engineers, and his grading contractor and landscaper, to ensure among other things, that there were sufficient funds held in trust to complete the project; that the owner obtained all necessary permits and approvals before any work was done; and that the work was approved by necessary local, state, and federal agencies. The restoration work was successfully completed in the fall of 2008. On October 16, 2008, the owner appeared in court with his attorney and the Court permanently stayed the owner's jail time and terminated his probation, finding the restoration project had been completed.

#### *Closure of Illegal Medical Marijuana Dispensaries*

On May 16, 2006, the Board adopted revisions to Titles 7 and 22 of the County Code that required medical marijuana dispensaries ("MMDs") to obtain a Conditional Use Permit ("CUP") and a business license prior to opening their doors for business. During this reporting period, two operators attempted to open MMDs in Castaic and the unincorporated area of Covina without a CUP or business license. Immediately upon discovering the illegal MMDs, the CCCEU coordinated enforcement by the Department of Regional Planning ("DRP") and the Treasurer and Tax Collector Business License Division who posted Notices of Violation ("NOVs") against the properties and mailed NOVs to both the tenants and owners of the properties. The CCCEU sent certified letters to the property owners advising them of their legal

liability and the potential consequences for permitting their properties to be used for illegal purposes. In the Castaic case, the MMD operator ceased operation and vacated the property. In the Covina matter, upon the County's initiation of its enforcement case, the property owner hired counsel and initiated an unlawful detainer action against its tenant. That matter is pending trial.

Additionally, to assist the departments who are primarily responsible for enforcement pertaining to MMDs, the CCCEU drafted a protocol for code enforcement coordination and handling of medical marijuana dispensary cases.

#### *CCCEU Coordinates Efforts to Clear Code Violations on Internet Scam Property*

This property, located in the East San Gabriel Valley, first came to the attention of County staff when the property owner was alleged to have committed a scam over the Internet by defrauding as many as 33 families by offering his home for rent at \$1,200 per month and collecting deposits from each family. The property owner, who was in default on his mortgage on the property, vacated the property and ultimately fled the jurisdiction. The CCCEU was contacted by the First Supervisorial District Board Office and assisted them by coordinating a team of County code enforcement departments, law enforcement, social service professionals, and the Department of Consumer Affairs to respond to the families who were planning to move into the residence all on the same day. The County team was able to contact the defrauded families prior to their anticipated move-in to minimize the damages and disruption to them. The families who attempted to move into the home were assisted in obtaining alternate housing and referred to law enforcement to file crime reports.

Following the aborted move-in day, the CCCEU coordinated enforcement efforts, and DRP and DPW Building and Safety cited the property owner (at his last known address) for an illegal garage conversion, an unpermitted patio cover, and unpermitted electrical and plumbing work. In addition, a property rehabilitation case was opened due to the trash, junk, debris, and inoperable vehicles on the property; but has since been closed following clean up by the tenant. The CCCEU subsequently contacted the lender and advised it of the situation and offered assistance to expedite the foreclosure process. A trustee's sale is pending.

#### **Additional Highlights**

##### *CCCEU Recipient of Quality and Productivity Award*

The CCCEU was recognized as a collaborator in the Pico Rivera Vandalism Enforcement Team ("VET") Pilot Project which was one of this year's top 10 Quality and Productivity Award recipients. The VET was created by the Los Angeles County Sheriff Department ("LASD") Pico Rivera Station to combat the proliferation of graffiti and the violent crimes that often accompany vandalism offenses. The VET Pilot Project was implemented in January 2008 to reduce graffiti and vandalism activity and thus improve the quality of life throughout the community. VET is a multifaceted group of law enforcement professionals who handle vandalism enforcement from the initial investigation and arrest through the adjudication process. The CCCEU has been working with the VET to determine how civil remedies can interface with, complement, and/or provide an alternative to the criminal process.

### *Civil Graffiti Pilot Project*

During this reporting period, the CCCEU has continued working with the Chief Executive Office ("CEO"), LASD, DPW, the Department of Ombudsman ("Ombudsman"), and the DA to create a pilot project to impose administrative fines and noncompliance fees on adult graffiti vandals; to provide for summary abatement for graffiti violations with a procedure for the County to recoup its abatement costs and impose a lien or special assessment for unpaid costs against a graffiti perpetrator's property; and to provide for the County to recoup its graffiti apprehension and abatement costs associated with graffiti offenses caused by minors through the Probation Officer in juvenile court proceedings.

Amendments to Titles 1 and 13 of the County Code were adopted by the Board last summer to implement the program. During this reporting period, the CCCEU and the CEO formed several workgroups, comprised of the above named departments, with the addition of the Department of Probation ("Probation"), to hone in on the various issues to implement the different aspects of the new County Code provisions. The workgroup tasked with the responsibility of obtaining restitution orders in juvenile court proceedings met with the Supervising Judge of the Los Padrinos Juvenile Court. In addition to discussing restitution, the workgroup discussed current court practices and ways to improve upon them with respect to rehabilitating juveniles who commit vandalism offenses and promote more parent accountability. Additionally, the group discussed training for the Juvenile Court judges to be given by Probation on the application of the new County Code provisions.

The CCCEU also assisted the workgroup that was formed to implement the administrative fine portion of the ordinance by developing a comprehensive written protocol for use by the Ombudsman in carrying out its role as program administrator. The CCCEU developed additional forms, and with the assistance of LASD, developed the citation document that will be used to initiate the enforcement process. Lastly, the CCCEU has been working with the workgroup created to develop a formula for abatements costs for law enforcement to use at the time of the suspect's arrest.

### *Catering Truck and Vending Enforcement for Peddling Activities*

During the last reporting period, the Board adopted amendments to Title 7 and 11 of the County Code to refine existing language and add definitions relating to peddling activities; to revise provisions affecting the time periods that peddling vehicles may stay in one location; and to allow prosecution of peddling violations as misdemeanors where warranted.

During this reporting period, the CCCEU, with assistance from LASD, prepared an *Informational Flyer On Catering Trucks* and an *Informational Flyer On Vending* to educate the public on the new ordinance relating to catering truck and vending activities in the unincorporated areas of the County. Copies printed in both English and Spanish were distributed to the community as part of public outreach prior to any enforcement activities being conducted.

As a result of constitutional concerns raised during this reporting period, additional modifications are being made to Title 7 to further clarify time limits. Enforcement activities will begin when the ordinance is adopted and becomes effective.

## *State Legislation Clarifying Local Authority to Regulate Vending from Vehicles*

Assembly Bill 2588, which was developed jointly by the CCCEU and Assembly member Charles Calderon's office, was signed by the Governor on July 17, 2008. The legislation formally reaffirms the Legislature's intent that local governments may adopt reasonable time, place, and manner requirements for the public safety regulating any type of vending from vehicles upon any street, thus reconciling an arguable conflict between the Health and Safety Code and the California Vehicle Code on this subject. The legislation took effect on January 1, 2009.

## **Public Speaking Engagements/Community Outreach**

### *CCCEU Panelist at International Anticounterfeiting Coalition Annual Fall Meeting*

The membership of the International Anti Counterfeiting Coalition ("IACC") invited the CCCEU to participate on a panel entitled, "U.S. Task Forces Best Practices," at the IACC's annual fall meeting held in Santa Monica, California in October 2008. In its letter of invitation, the IACC stated, "The commitment and dedication of the Los Angeles County Counsel to protect the intellectual property rights of legitimate commerce is unparalleled and is a model that should be emulated around the world. We feel that a presentation detailing your enforcement model would be extremely beneficial to membership and would be warmly received." A member of the CCCEU participated as a panelist and the CCCEU has committed to working with the IACC to coordinate County efforts to curb counterfeiting violations in the unincorporated County.

### *CCCEU Panelist at Los Angeles County Probation Department's Parent Empowerment Workshop*

A member of the CCCEU participated as a panelist at Probation's Parent Empowerment Workshop on the topic of graffiti awareness for juvenile offenders, probationers and their parents. Other panelists included representatives from the DA's Office, DPW's Graffiti Abatement Program, and Art Share, a private, non profit agency which offers an after school program that provides job training and opportunities for rehabilitated juvenile offenders and probationers. The workshop was held at Probation's offices in East Los Angeles on a week night to accommodate the schedules of the working parents. The CCCEU provided an overview of selected portions of the newly adopted graffiti ordinance as it applies to juveniles and their parents – indicating that there were additional tools available to the County to enforce against the escalating graffiti problem. The CCCEU also emphasized the County's concern about the problem and the important role parents play in helping to educate their children regarding the penalties for graffiti offenses.

### *Los Angeles Paparazzi Task Force/Panelist*

In an effort to combat aggressive tabloid photographers, Los Angeles City Council Member Dennis Zine formed a Paparazzi Task Force to consider different legislative options aimed at reducing the negative experiences that often accompany celebrity paparazzi. Members of the task force included representatives from the cities of Malibu, Beverly Hills, West Hollywood, Calabasas, Los Angeles, and the County of Los Angeles. A member of the CCCEU participated as a Task Force Panelist at one of the Town Hall meetings sponsored by the Mayor

of Malibu and held at the Malibu Performing Arts Center. The CCCEU also contributed to the Citizen's Guide made available to the public by the City of Los Angeles.

### **Cases Handled by County Counsel**

During this reporting period, the CCCEU received 17 new referrals and continued to work on 37 cases carried over from the prior reporting period. The CCCEU is handling eight civil prosecutions involving 22 properties. During this reporting period, the CCCEU held two office conferences and closed 13 cases when the properties were brought into substantial compliance.

See Exhibit 1 for a summary of the status and disposition of the cases, by Supervisorial District, handled by the CCCEU during this reporting period.

### **Ongoing Efforts to Integrate Code Enforcement Operations**

#### *Code Violations Cleared on Property of Conservatee*

In 2007, the DA's Code Enforcement Section was handling a case involving an elderly property owner who lived in a somewhat remote area of the North County, whose home had burned down several years ago as the result of an accidental fire. Due to limited resources, her family purchased a trailer for her and moved it onto the lot where the home had been situated. Because she resided in a fire prone area, there were concerns within the community about maintaining annual brush clearance around her residence. Due to her repeated failure to do brush clearance, the County conducted the brush clearance for her. As a result, her property came to the attention of DRP and she was cited for maintaining a trailer on the property, a use which is not permitted in the zone in which her residence was located. Because of extenuating circumstances, the DA requested the CCCEU attend a series of office conferences to see if there was a way to resolve the matter short of criminal prosecution.

The CCCEU brought in mental health representatives to assist due to the property owner's age and questionable mental status, and to see whether she was a candidate for probate conservatorship. The case was subsequently referred to the Los Angeles County Public Guardian ("PG") and a conservatorship was established. In 2008, the PG petitioned to sell the owner's property and made plans to relocate her to a suitable community of her choosing. While that was pending, the family came forward and requested the property not be sold. The CCCEU worked with the family, the PG and their counsel, and the property owner's court appointed attorney to find a suitable place for her to live. The CCCEU was also instrumental in making the subsequent arrangements for the trailer home to be dismantled and removed from the property, thereby abating the code violation.

#### *Residential Placement Protocol Task Force Support*

The CCCEU continues to assist the Residential Placement Protocol ("RPP") Task Force in the coordination of investigations and enforcement activities among the County and the applicable city, state, and federal agencies that are members of, or associated with, the RPP.

During the last reporting period, the CCCEU reported a matter wherein a complaint was made by neighbors regarding illegal grading and an "unlivable" residence on a property with several RVs and abandoned vans being used for housing. The CCCEU conducted the initial investigation and discovered that individuals holding themselves out as a private nonprofit organization, whose purported goal is to build homes for veterans, may be exploiting several elder adults. During this reporting period, the CCCEU met with the staff of the Fifth Supervisorial District, DRP, DPW Building and Safety, Adult Protective Services ("APS"), Geriatric Evaluation Networks Encompassing Services, Information and Support Programs ("GENESIS"), and the Probate Court Investigator's Office to follow up on the investigations being concurrently conducted by the various County departments. The CCCEU worked with APS to see to it that one of the victims was referred to the PG for probate conservatorship. The CCCEU, in conjunction with APS, made arrangements for another victim, who was already placed under conservatorship, to be evaluated by a geriatric psychiatrist. Depending on the outcomes of these matters, a request for the Financial Crimes Unit of LASD to further investigate may be necessary.

In the last Code Enforcement Biannual Report, the CCCEU reported a case involving a registered nurse who was operating an unlicensed facility and was providing inadequate care and supervision and substandard living accommodations. It was also determined that he was committing identity theft and fraud on elderly and defendant adults who were residents of various residential facilities which the nurse was operating in both the unincorporated areas and the City of Los Angeles. Following a referral by the RPP, the California Attorney General's office initiated a criminal case. In August 2008, the defendant plead guilty to five felony counts and was sentenced to three years, eight months in state prison.

#### *Prosecution for Illegal Curb Painting*

During this reporting period the unincorporated communities of Whittier and Hacienda Heights had been having problems with unsolicited, unwanted, and unprofessional curb painting being conducted by companies without the necessary permits. A work group was formed consisting of the CEO, CCCEU, LASD, and the DPW Construction Division to review the extent of the problem, the available tools, and the existing enforcement protocols for handling these violations. Following the meeting, the CCCEU consulted with the DA Code Enforcement Section to determine what would be required to prosecute these offending companies and the CCCEU passed on the information to the LASD's Community Oriented Policing Services (COPS) Bureau, who was tasked with investigating the pending complaints. As a result of a coordinated enforcement effort, there was sufficient evidence for the owner of one of the involved companies and an employee to be arrested and referred to the DA for prosecution.

While that matter was pending, the owner of the company was subsequently rearrested for illegal curb painting in another community and that matter was referred to the DA as well. The owner subsequently plead no contest to one of two misdemeanor counts and was fined and placed on three years summary probation. Insufficient evidence was obtained to proceed against any other alleged individual or company at that time, but the alleged activity continues to be monitored.

Exhibit 1

**County Counsel Code Enforcement Unit**  
**Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Zoning and Building Code violations on four residential properties in the Florence-Firestone area (related to West Athens Building Code violations and unfair business practices matter in the Second District)	1			1 (involves 4 properties in the 1st District and 11 properties in the 2nd District)		1	A complaint was filed on July 7, 2006, in L.A. County Superior Court, against the contractor and developers of 15 properties for violation of Business and Professions ("B&P") Code section 17200, the California Unfair Competition Act. The County and the defendants entered into a stipulated judgment, in the County's favor, providing for a permanent injunction; \$145,000 in civil penalties; and the requirement that the defendants bring all of the properties into full compliance. Currently, nine of the 15 properties have been brought into compliance. During this reporting period, the CCCEU had an office conference with the contractor on two of the properties located in the Second Supervisorial District. The contractor was instructed to submit yard modifications to the Department of Regional Planning ("DRP") on these cases. Variances are pending on two other properties. A plot plan was approved on a fifth property, the next step is for the contractor to obtain a building permit. The plot plan was denied on the sixth property and discussions on how to proceed are continuing.
Property that was damaged by fire and has been an eye sore in the community for over 10 years	1					1	During this reporting period, the owner has completed the roof, wrapped the entire exterior walls of the building with stucco paper, and is willing to start the first coat of stucco. However, he has to complete some interior framing details, and rough electrical and plumbing corrections before the inspector will allow him to proceed. The owner is maintaining the backyard and side yards free of the junk and construction materials. His construction progress is slow because of the downturn in the economy and the fact that he works by himself with a part-time helper. The CCCEU will continue to monitor progress.
Criminal activity on property with code violations	1					1	Since the last reporting period, the property was purchased by new owners who have corrected the code violations. Case closed.
Unpermitted structure; converted garage	1					1	Since the last reporting period, a new owner has acquired the property subject to the code violations and has agreed to abate them. Case pending.
Unpermitted structures; more than three dogs on property; junk and salvage; inoperable vehicle	1					1	The property has gone through the full property rehabilitation enforcement process. A letter of intent to clean up the property was issued on August 26, 2008. The owner has demolished the unpermitted addition to the house although there is still debris due to the demolition. Case is ongoing.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Sale of counterfeit goods	1		1		1		Pursuant to an office conference held in mid-July, the owner and his attorney agreed to make changes in the lease agreements with the vendors informing them that the sale of counterfeit goods would not be allowed. Training in identifying counterfeit goods was also provided. Preventative measures were implemented. Case closed.
Illegal garage conversion, junk and salvage, and inoperable vehicles on property in which the owner is a suspect in an Internet rental scam and various illegal activities	1				1		The property owner was alleged to have committed a scam over the Internet having defrauded as many as 33 families by offering the same home for rent at \$1,200 per month and collecting deposits from each family. He was in default on his mortgage, vacated the property, and fled the jurisdiction. The CCCEU coordinated a team of County departments, including law enforcement, social service professionals, and Consumer Affairs to respond to the families who anticipated moving into the residence all on the same day. The CCCEU also coordinated enforcement efforts, and the Department of Regional Planning ("DRP") and the Department of Public Works ("DPW") Building & Safety Division cited the property owner for having an illegal garage conversion, unpermitted patio cover, and unpermitted electrical and plumbing on the property. The CCCEU subsequently contacted the lender and advised them of the situation and offered assistance in expediting the foreclosure process. Case closed as to CCCEU involvement.
A business operating an unpermitted medical marijuana dispensary		1				1	The operators (lease tenants) attempted to open a medical marijuana dispensary ("MMD") in the unincorporated community of Covina without a CLP or business license. Immediately upon discovering the illegal MMD, the CCCEU coordinated enforcement by DRP and the Treasurer and Tax Collector Business License Division ("TTC"). Upon the County's initiation of enforcement, the property owner hired counsel and initiated an unlawful detainer action against the tenant. That matter is pending trial. Case is ongoing.
Complaint received from neighbor of nuisance property due to loud noise and parties			1			1	The Board office received a complaint from a constituent regarding loud music, partying, and other related activity by young adult neighbors. At the present time the matter cannot be referred for criminal prosecution given the reluctance of the complaining parties to serve as witnesses in light of their desire to remain anonymous. Case is ongoing.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Unsolicited and unwanted curb painting being conducted without necessary permits		1			1		The unincorporated communities of Whittier, Covina, and Hacienda Heights had been having problems with unsolicited and unwanted curb painting being conducted by companies without the necessary permits. A work group was formed consisting of the CEO, the CCCEU, the Sheriff, and DPW to review the extent of the problem and possible enforcement strategies. The Community Oriented Policing Services (COPS) Bureau was tasked with investigating the pending complaints. As a result of a coordinated enforcement effort, the owner of one of the companies and an employee were arrested and referred to the DA for prosecution. While that case was pending, the owner of the company was subsequently re-arrested for illegal curb painting in another community and that matter was referred to the DA as well. The owner subsequently plead no contest to one of two misdemeanor counts and was fined and placed on three years summary probation.
Extensive excavation and major unpermitted construction		1				1	This matter was referred to the CCCEU by the DA Code Enforcement Section. The property has been red-tagged due to extensive unpermitted excavation and major unpermitted and still incomplete construction. The property owners, a father and daughter, are indigent. The DA has asked the CCCEU to participate in a future office conference. Case is pending.
<b>First District Total</b>	<b>7</b>	<b>4</b>			<b>1*</b>	<b>4</b>	<b>7</b>

Exhibit 1

**County Counsel Code Enforcement Unit**  
**Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
<b>Second District</b>  Zoning and Building Code violations on 11 residential properties in the West Athens area (related to Florence-Firestone Building Code violations and unfair business practices matter in the First District)	5		1 (involves 4 properties in the 1st District and 11 properties in the 2nd District)	1	1 (involves 4 properties in the 1st District and 11 properties in the 2nd District)	5	A complaint was filed on July 7, 2006, in L.A. County Superior Court, against the contractor and developers of 15 properties for violation of Business and Professions ("B&P") Code section 17200, the California Unfair Competition Act. The County and the defendants entered into a stipulated judgment, in the County's favor, providing for a permanent injunction; \$145,000 in civil penalties; and the requirement that the defendants bring all of the properties into full compliance. Currently, nine of the 15 properties have been brought into compliance. During this reporting period, the CCCEU had an office conference with the contractor on two of the properties located in the Second Supervisorial District. The contractor was instructed to submit yard modifications to DRP on these cases. Variances are pending on two other properties. A plot plan was approved on a fifth property; the next step is for the contractor to obtain a building permit. The plot plan was denied on the sixth property and discussions on how to proceed are continuing.
Inoperable vehicles, junk and salvage, unpermitted structure, electrical, and plumbing code violations; unpermitted car repair business	1			1		1	A default judgment was entered in the County's favor on August 10, 2006. The L.A. County Superior Court issued a permanent injunction ordering clean-up of the property and awarded the County \$13,000 in fines. On August 10, 2007, pursuant to the CCCEU's application, the court appointed a receiver who took over the management of the property and abated all of the outstanding code violations. The property has been brought into compliance. The receiver scheduled a trustee sale of the property, to pay off \$100,000 in costs and accrued interest, for December 31, 2008. Upon discharge of the receivership, the case will be closed.
Clean up of flammable/combustible liquids and junk, trash; extreme fire hazard to occupants and emergency responders	1					1	The property owner has been cited for numerous fire, building, and zoning violations and has not complied with abatement orders. Since the last reporting period, the DPW Property Rehabilitation Unit obtained an order to clean up the property; the schedule for clean up is ongoing. Case is ongoing.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Gang violence, drug sales, murder, assaults	1			1		1	The CCCEU is currently working with the Sheriff, the Los Angeles City Attorney's Office, and DPW to abate the narcotics sales on the property. On October 15, 2008, the CCCEU filed a lawsuit for injunctive relief to force the property owner to implement additional security measures to prevent the sale of narcotics and gang violence on the property. The County intends to file a motion for preliminary injunction in January 2009. Case is ongoing.
Unpermitted carpet; converted garage; unpermitted addition	1			1		1	The carpet has been demolished and the property has been brought into code compliance. Case closed.
Junk and salvage; numerous inoperable vehicles; unpermitted structures and horse maintained in residential area	1					1	The CCCEU filed an action for injunctive relief against the property owner and the occupant to abate violations of the Zoning Code including large amounts of junk and salvage, numerous inoperable vehicles, unpermitted structures, and a horse being maintained on the property in a location that is not zoned for this activity. The court granted a judgment in the County's favor on April 2, 2008, enjoining the defendants from further violating the Zoning Code and requiring them to abate the violations on the property. The property owner began efforts to abate the violations; however, the property has not been completely cleaned up. The CCCEU will continue to monitor for compliance pursuant to the terms of the judgment. Case is ongoing.
Restaurant not in compliance with parking requirements on approved pilot plan	1					1	The code violations have been abated. Case closed.
Inoperable vehicles, junk and salvage	1					1	DPW issued a NOV for Zoning Code violations on the property. On June 24, 2008, the CCCEU held an office conference with the property owner and imposed a correction deadline which was not met. The DPW Rehabilitation Appeals Board declared the property a public nuisance. DPW has scheduled the property for clean-up. The CCCEU will continue to monitor progress.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Property being used to house horses also has merchandise displayed outside of enclosed building, outdoor storage without approval, occupied RV, junk and salvage, and property does not meet current development standards	1				1		DRP issued an NOV on the subject property which is being used to house horses and has numerous other code violations. Although the property is located in a zone which allows for this type of use, none of the buildings and improvements on the property have been approved through the plot plan review process. The horse stables are poorly constructed and the property contains unpermitted storage containers, an occupied RV, and junk and salvage items. The CCCEU is working with the DA to determine if a civil action should be filed and receivership sought, or if a criminal complaint should be considered. During this reporting period, the violator abated many of the violations and has filed the necessary permit applications with DRP. The applications are currently pending review. Case is ongoing.
Unpermitted outdoor advertising sign		1			1		The CCCEU is assisting DRP in its efforts to require the owner of an outdoor advertising sign to remove the unpermitted sign.
Junk and salvage; inoperative vehicles		1		1		1	A complaint was filed in August 2008 to abate and prevent the unlawful conditions on an unimproved residential lot. In December 2008, the court entered a default judgment and order in the County's favor requiring the defendant to abate the violations on the property. The CCCEU will move the court for appointment of a receiver if the defendant fails to correct the violations as required in the judgment.
Illegally built structures on property in residential neighborhood that is being rented for parties.				1		1	A complaint was filed in December 2008 in which the County seeks an injunction and abatement order requiring the defendant to demolish or obtain necessary building permits for illegally built structures and to cease renting the property for parties.
<b>Second District Total</b>	<b>13</b>	<b>3</b>	<b>1</b>	<b>5*</b>	<b>2</b>	<b>14</b>	

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Unpermitted structures encroaching upon County-owned land; zoning, building, and fire code violations	1			1		1	A lawsuit was filed on December 13, 2006, for violation of the LACC and for possession, damage due to occupation, and misuse of County-owned land. On October 3, 2007, the court granted the County's motion for summary judgment as to all causes of action. On November 20, 2007, a judgment was entered in the County's favor. The defendant appealed the court's grant of summary judgment in the County's favor on November 29, 2007. On December 2, 2008, the appeal court accepted the appellant's opening brief. The County filed a motion to dismiss the appeal on December 8, 2008, and is still waiting for the appeal court's ruling on the motion. Case is ongoing.
Removal of oaks trees without permit	1					1	The CCCEU is monitoring the case since the violation involves County property. The Oak Tree Permit application has been submitted to DRP for processing. Case is pending.
Dispute over use of Castro Peak Motorway	1					1	The CCCEU is continuing to work with the Chief Executive Office and the National Park Service ("NPS") to find a permanent solution to the access issues regarding Castro Peak. NPS reports that the property owner who owns a significant portion of the subject area repaired Castro Peak Motorway, the primary access route, which had been inaccessible for several years due to a wash out. Newton Parkway, which had been serving as an alternate route, had become inaccessible due a landslide, but it reportedly has also been repaired. Case is ongoing.
Packager not labeling and misrepresenting food ingredients in packaged food items; distributing to L.A. Unified and school districts nationwide						1	During this reporting period, the DA sent out a subpoena for records. A conference call was held with the CCCEU, DA, Department of Public Health ("DPH"), and the State Department of Health Services. The CCCEU reviewed laboratory records and discussed with the DA. The CCCEU also met with a DPH investigator and suggested some additional discovery regarding volume reports. Case is pending.
North Santa Monica Bay Pollution	1					1	During this reporting period, the CCCEU was advised by DPW's Watershed Management Division that they have resumed sampling as part of the Source Identification Study due to recent elevated bacteria levels at beach locations. DPW was able to take samples from properties with the cooperation of the property owners. Another round of samples will be taken in the next reporting period. Case is ongoing.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Illegal structures and multiple zoning, building and safety and fire code violations on a residential property	1				1		A developer purchased property in Topanga about 10 years ago with four existing structures and tenants on the property. None of the structures are permitted for residential use. Only one structure is permitted as a breeding station/horse stable. All structures are being utilized for residential use. There are multiple zoning, building and safety, and fire violations all of which have been cited. The Fire Department has issued an order to vacate. The case may be referred to the DA for criminal prosecution. The CCCEU is in contact with the owner to assist in obtaining the necessary permits to clear the violations. Case is ongoing.
<b>Third District Total</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>6</b>	

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Graffiti on railroad bridge over 605 Freeway	1				1		The owner and CalTrans claim that it is not their responsibility to maintain the bridge. The County and the City of Pico Rivera believe that both parties are responsible and unless they cooperate to remove the graffiti, both County and City staff intend to seek authority to file civil lawsuits to ensure compliance with their respective graffiti removal ordinances. The matter is pending while the owner tries to work things out with the City of Pico Rivera.
Operating a foot massage parlor in a C-1 zone	1				1		The offense was abated when the business ceased operation and moved to another location. Case closed.
Commercial tour buses parked on a public street in a residential area most weekends	1				1		This matter was a referral from the Board office who received a constituent complaint involving commercial tour buses parked on a public street in a residential area on most weekends. The California Highway Patrol ("CHP") had sent letters to the bus companies and to the resident who allegedly organized and promoted the tour excursions. CHP also sent out officers on the day or one of the excursions to issue parking citations to vehicles belonging to tour participants. However, the problem persisted. Through its investigation, the CCCEU found and contacted the owner of the tour business who agreed to disassociate the company from the promoter, who was a tenant living on the subject street. The business owner also agreed not to park the buses at that or any other adjacent location. Case closed.
Unsolicited and unwanted curb painting being conducted without necessary permits		1			1		The unincorporated community of Hacienda Heights, Whittier, and Covina had been having problems with unsolicited and unwanted curb painting being conducted by companies without the necessary permits. A work group was formed consisting of the CEO, the CCCEU, the Sheriff, and DPW to review the extent of the problem. The Community Oriented Policing Services (COPS) Bureau was tasked with investigating the pending complaints. As a result of a coordinated enforcement effort with the DA, the owner of one of the companies and an employee were arrested and referred to the DA for prosecution. While that matter was pending, the owner of the company was subsequently re-arrested for illegal curb painting in another community and that matter was referred to the DA as well. The owner subsequently plead no contest to one of two misdemeanor counts and was fined and placed on three years summary probation.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Hillside home in foreclosure threatens to fall on homes below		1				1	This case is a referral from the DA Code Enforcement Section and involves an elderly property owner who was cited for failing to repair an eroding slope to eliminate a hazardous condition endangering adjacent properties. There was a question of whether the property owner was in arrears and losing the property in a foreclosure. The CCCEU was able to locate the mortgage company who succeeded the original mortgagor and discovered that a Notice of Trustee's Sale had been recorded, and that the property was scheduled to be sold at auction. The CCCEU assisted DPW who sent a courtesy letter to the trustee providing notice of the Building Code violation so that they could make appropriate and necessary disclosures at the trustee's sale. The trustee sale date was moved to February 23, 2009. Case is ongoing.
<b>Fourth District Total</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2</b>	

Exhibit 1

**County Counsel Code Enforcement Unit**  
**Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
<b>Fifth District</b>							
Numerous inoperable vehicles, junk and salvage, unpermitted structures, and illegal grading and electrical work	1			1		1	A judgment and order was issued in March 2006 granting a permanent injunction and ordering the defendant to clean up the property. The CCCEU and DRP inspected the property and met with the property owner and his attorney in May 2008. The property owner was given until August 15, 2008, to fully abate all of the code violations to avoid the County's request for appointment of a receiver. The CCCEU and DRP will be conducting a final inspection on February 17, 2009. Further enforcement steps to follow as needed. Case is pending.
Unpermitted and accessory structures maintained within required setback area and in private and future street	1					1	The owners abated the unpermitted accessory structures in the set back area. County staff met with the owner and her attorney, who agreed to accept the conditions set forth by DPW to proceed with the street vacation proposal. The tentative date for the Board's approval of the Resolution of Summary Vacation is May 19, 2009. Case is pending.
Non-compliance for a recreational trailer park with permanent residents, junk and salvage	1					1	Case is pending CJP approval. The applicant has not submitted the required documents. DRP sent a final letter requiring all documentation for CJP approval be submitted within 60 days. Case is pending.
Suspected criminal activity involving residents of a drug addiction treatment center	1					1	Due to information obtained by the CCCEU indicating the continuation of unlawful activities being conducted at the location, the Attorney General's office had the settlement agreement set aside and a trial is pending in May 2009. Case is ongoing.
San Dimas property owner has encroached onto a County park without County permits; illegal grading; planting non-native vegetation; case ongoing since 1992	1					1	During this reporting period, the CCCEU coordinated the successful completion of the restoration project and the remaining issues were completed – repair of damage to neighbor's block wall, concrete steps, and cage leading to and surrounding the storm drain; erosion remediation; and final landscaping. The criminal court terminated the defendant's probation and dismissed the case. Case closed.
Maintaining an unpermitted mobile home and trailer on property	1					1	The CCCEU referred the matter to the Public Guardian ("PG") who petitioned for conservatorship over the estate of the property owner. During this reporting period, the CCCEU was contacted by the property owner's family who did not want to have the property sold. The CCCEU worked with the family and the conservator and arranged for the mobile home to be dismantled and removed from the property thereby abating the code violation. Case closed as to CCCEU involvement.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Reports of projectiles from an outdoor shooting range landing on neighboring properties	1				1		Pursuant to an evaluation done by a range technical expert, the Angeles Shooting Range implemented operational and structural changes to improve the safety of the shooting range. An August 20, 2008 inspection disclosed that the safety measures recommended by the expert were addressed and implemented. Case closed.
Constituent complaint concerning business activities of a restaurant/bar operated by former owners of an adult cabaret who acquired an existing restaurant in the unincorporated area of the County	1					1	The Fire Department, Department of Public Health, DPW, DRP, TTC, and Sheriff conducted an inspection of the new business and found it was operating in violation of the LACC. In addition to not being in compliance with the existing restaurant's CUP, the newly acquired business was operating without licenses for public eating, entertainment, and dance, and several health code violations were noted. NOVs were issued to the new owners. The owners filed an action for injunctive and declaratory relief, and damages to restrain and prohibit the County from enforcing the County Code provisions. The owners allege it is an on-going business, and the licenses and permits held by the former business were transferable. Since the last reporting period there have been two hearings before the Business License Commission concerning the licenses, all of which have been issued. A follow-up report by DRP indicates there are Zoning Code violations. The County filed its answer to the civil complaint and the CCCEU assisted with discovery. A mediation is scheduled for January 2009.

Exhibit 1

**County Counsel Code Enforcement Unit  
Eighth Biannual Status Report for July 1, 2008 to December 31, 2008**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Juniper Hills property suspected of illegal grading and elder abuse	1				1		A complaint was made regarding illegal grading, an "unlivable" residence on a property with several RVs and abandoned vans being used for housing, and possible elder abuse. Since the last reporting period, one of the two identified victims who was referred to the Probate Court Investigator's office was subsequently referred to the Public Guardian for probate conservatorship. A petition was filed and set for hearing in January 2009. The other victim, who had already been placed under conservatorship, is being evaluated by a geriatric psychiatrist. Matters concerning possible elder abuse are pending. The RVs have been removed from the property and an application to establish an agricultural use has been filed with DRP so that a cargo container can be stored on the property. DPW is not pursuing the grading issue, which arose when an equipment company owner graded a road on an adjacent property to retrieve an overturned bulldozer. The adjacent property owner is not concerned and the grading does not pose any safety issues, so DPW closed its enforcement case. Case is ongoing.
Illegal grading and Building Code violations	1				1		In 2004, the County received a complaint of illegal grading and dumping of soil in a streambed. The State Department Fish and Game became involved, and DPW also initiated an investigation of the allegations and issued NOVs on the property for illegal grading and various Building Code violations. When the property owner failed to correct the violations or obtain the proper permits, the case was referred to the DA for criminal prosecution. The CCCEU became involved to assist in the resolution of the civil issues in this matter, to advise as to what action is required for compliance with County Codes and to get the permit process started. Despite meetings with the violator, no completed application for permits has been filed. A lawsuit between a neighbor and the violator is pending. Case is ongoing.
A business operating an unpermitted medical marijuana dispensary		1			1		During this reporting period, an operator attempted to open a MMD in the unincorporated community of Castaic without a CUP or business license. Immediately upon discovering the illegal MMD, the CCCEU coordinated enforcement by DRP and TTC. The MMD operator has ceased operation and vacated the property. Case closed.

Exhibit 1

**County Counsel Code Enforcement Unit  
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Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Investigation Stage/Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Owner of Recreation Vehicle ("RV") Park that is now in compliance with the conditions of the CUP	1				1		The terms of a CUP required a RV property owner to move a gate across Glendora Mountain Road so that the road could be closed in emergencies without blocking his RV guests inside the park. The owner was also required to install a 250,000 gallon water tank with six fire hydrants. None of the conditions have been met. The DA referred the case to the CCCEU because they do not believe the RV owner has the funding to comply with the CUP. The CCCEU will work with DRP to determine if it will be necessary to suspend or revoke the CUP. Case is ongoing
Junk and salvage by property owner who is a hoarder	1				1		Case was referred by the DA because the property owner has severe hoarding issues. Case is ongoing.
Concrete wall built without building permit	1				1		The property owner built a 300-foot long and eight-foot high concrete wall without a building permit. The CCCEU is reviewing the case for possible filing of a civil action against the property owner. Case is ongoing.
Unlawful operation and use of an accredited school and appurtenant facilities without first obtaining a Conditional Use Permit ("CUP")	1			1		1	In December 2008, a complaint was filed to abate, enjoin, and prevent the unlawful operation and use of an accredited school and appurtenant facilities without first obtaining a CUP. Case is ongoing.
Junk and salvage by property owner who is a hoarder	1				1		Case was referred by the DA because the property owner may be a hoarder and also due to the owner's age and health. Case is ongoing.
<b>Fifth District Total</b>	<b>10</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>12</b>	
<b>TOTAL CASES</b>	<b>37</b>	<b>17</b>	<b>2</b>	<b>8*</b>	<b>13</b>	<b>41</b>	

\*Eight civil prosecutions involving 22 properties (one of the cases involves four properties in the First Supervisorial District and 11 properties in the Second Supervisorial District)